

SUBJECT: A report and recommendation on a proposed zone change for (PD) Planned Development District #35 in the community of Winton Place.

PURPOSE: To determine the appropriate zoning for the Sun Chemical Corporation PD #35 District, which was created as part of the new Zoning Code process.

ADJACENT LAND USE/ZONING:

North: Single-family and Park & Recreation uses in the SF-6 Single-Family District.

South: Heavy Manufacturing uses in the ME Manufacturing Exclusive District.

East: Multi-family, commercial and vacant commercial uses in the RM-2.0 Residential-Multi-family District and CN-P Commercial Neighborhood-Pedestrian District.

West: Vacant, single-family and two-family uses in the SF-4 Single-Family District.

BACKGROUND:

In 1974, when the R-5(T) District was expanded, the staff report suggested several recommended conditions or guidelines. At that time, such guidelines had no more standing in the t-zone process than merely suggestions. When the Transitional District Regulations were amended 10 years later, the guidelines became part of the ordinance which had the approval of the City Planning Commission and City Council. The guidelines used for the Sun Chemical property specify those land uses, which may be permitted in the district.

During the development of the new Zoning Code, staff created a (PD) Planned Development Districts on the Sun Chemical Corporation property using the old R-5T District guidelines. This was done because the old t-zones used guidelines much like the new PD District uses a final development plan to regulate the use(s) of a site. This allowed the old t-zone guidelines, to continue to regulate this site.



Figure 1: Existing research building

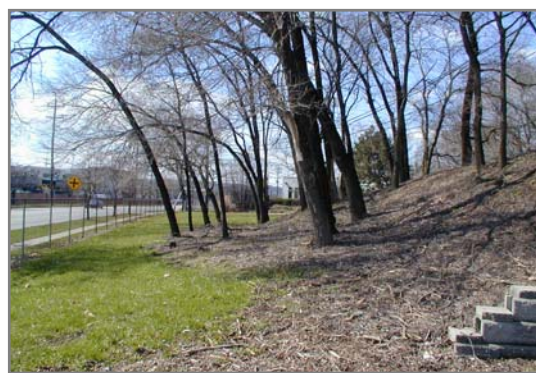


Figure 2: View of property going West on Este Ave.

ISSUES:

The Sun Chemical Corporation is approximately 15 acres in size. Mr. Herb Benson, a representative from Sun Chemical Corporation stated that, “they do not plan to change the current use of the site, and want to remain a good neighborhood to the surrounding property owners”. Staff believes that the current PD District zoning placed on the site, with the old R-5 (T) guidelines (see *exhibit B*) serving as the final development plan regulations is the appropriate zoning for the property. Rezoning the site to another district such as the ML Manufacturing Limited District would make the site conforming but would eliminate the guidelines protections, which were created to protect the surrounding residences from the existing use.



Figure 3: Abutting commercial property to the East of the Sun Chemical Corporation (intersection of Este Avenue & Kings Run Drive).



Figure 4: Abutting residential property to the West (intersection of East Epworth & Chickering Avenue).

COMMUNITY RESPONSE:

One resident (Harvey Davis) in the vicinity of the proposed site attended the April 25, 2006 staff conference and expressed his support for continuing the PD District. No response has been issued from the Winton Place Community Council regarding the zone change request.

CONCLUSIONS:

1. During the development of the new Zoning Code, staff created a (PD) Planned Development District on the Sun Chemical Corporation property using the old R-5T District guidelines as the final development plan regulations.
2. The property is built out with the Sun Chemical Corporation who wants to remain a good neighbor to surrounding property owners.
3. The existing PD District has the support from abutting residents.
4. Rezoning the site would make the site conforming but would eliminate the t-zone guidelines, which provided protection to the surrounding property owners.
5. Staff believes that the current PD District placed on the site is the appropriate zoning.

RECOMMENDATIONS:

The staff of the Department of Community Development and Planning recommends that the City Planning Commission approve the Planned Development District designation on the Sun Chemical Corporation site, which is currently listed as PD #35 located in the community of Winton Place with the old t-zone regulations serving as the Final Development Plan for the Sun Chemical Corporation Development.

APPROVED:

Respectfully Submitted,

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